

S9431

State of California  
State Water Resources Control Board  
**DIVISION OF WATER RIGHTS**  
**P.O. Box 2000, Sacramento, CA 95812-2000**  
Info: (916) 341-5300, FAX: (916) 341-5400, Web: <http://www.waterrights.ca.gov>

**NOTICE OF ASSIGNMENT for  
WATER RIGHTS OF RECORD  
WITH THE DIVISION OF WATER RIGHTS**

State Water Resources Control Board  
Division of Water Rights  
P.O. Box 2000  
Sacramento, CA 95812-2000

Gentlemen:

I have assigned all my right, title, and interest in [check the appropriate box(s)]

Stockpond Name: Dry Creek #1

Application #      Permit #      License #

☐ (Application \_\_\_\_\_)

Small Domestic Registration Certification # \_\_\_\_\_

☐ (Application \_\_\_\_\_)

Stockpond Registration Certification #

☐ (Application \_\_\_\_\_)

Statement of Water Diversion and Use #      S9431

on file with the State Water Resources Control Board,

**to: Amador Ranch Associates, LLC**  
3740 Hwy 104  
PO Box 1730  
Ione, CA 95640  
209-274-2777

AMADOR RANCH ASSOCIATES, LLC

By: BT Amador, LLC  
Its Administrative Member

By:

  
\_\_\_\_\_  
William B. Bunce  
Member

ok reviewed  
12/13/07  
✓



S009431%S%2004

2002, 2003, 2004

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.

Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by JULY 1, 2005.

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: HOWARD PROPERTIES;

## PRIMARY CONTACT OR AGENT FOR MAIL &amp; REPORTING:

HOWARD PROPERTIES

C/O THOMAS C SAGER

PO BOX 1047

IONE, CA 95640

STATEMENT NO.: S009431  
CONTACT PHONE NO.: (209)274-4429

Source Name: DRY CREEK

Tributary To: MOKELUMNE RIVER

County: Amador

Diversion Within: SE1/4 of NW1/4 Section 11, T06N, R09E, MB&amp;M

Year of First Use: 1933

Parcel Number:

A. Water is Used Under: Riparian claim ☒ Pre-1914 right \_\_\_\_\_ Other (explain): \_\_\_\_\_B. Year of First Use: (Please provide if missing above) pre 1933C. Amount of Use: Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons				Million Gallons (MG)			Acre-feet (AF)			X	Other		
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2002	X	X	X	X						X	X	X	4
2003	X	X	X								X	X	4
2004	X	X	X	X						X	X	X	4

D. Purpose of Use – Specify number of acres irrigated, stock watered, persons served, etc.Irrigation \_\_\_\_\_ acres; Stockwatering 80 cattle; Domestic \_\_\_\_\_;Other (specify) wildlifeE. Changes in Method of Diversion – Describe any changes in your project since your previous statement was filed.  
(New pump, enlarged diversion dam, location of diversion, etc.) none

F. Please answer only those questions below which are applicable to your project.

## 1. Conservation of water

a. Are you now employing water conservation efforts? YES \_\_\_\_\_ NO X

Describe any water conservation efforts you have initiated: \_\_\_\_\_

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

Reduction in consumptive use:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO X \_\_\_\_\_
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES \_\_\_\_\_ NO \_\_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO X \_\_\_\_\_
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES \_\_\_\_\_ NO \_\_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 23 Jan, 2005 at Ione, California

SIGNATURE: \_\_\_\_\_

PRINTED NAME: Thomas C. Sager  
(first name) (middle initial) (last name)

COMPANY NAME: Howard Properties, a group of tenants in common

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.

Notify this office if ownership or address changes occur during the coming year.



S009431-%S%2001

1999 2000 2001  
STATE WATER RESOURCES  
CONTROL BOARD

2002 DEC -5 PM 1:29

Please Complete and Return This Form by July 1, 2002.

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: HOWARD PROPERTIES

DIV. OF WATER RIGHTS  
SACRAMENTO

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

HOWARD PROPERTIES

PO BOX 1047

IONE, CA 95640

STATEMENT NO.: S009431  
CONTACT PHONE NO.: (209)274-4429

FOR ONLINE REPORTING AT  
www.waterrights.ca.gov

USER NAME: S009431  
PASSWORD: C16231

Source Name: DRY CREEK  
Tributary To: MOKELUMNE RIVER  
County: Amador  
Diversion Within: SE1/4 of NW1/4 Section 11, T06N, R09E, MB&M

Year of First Use:

Parcel Number:

A. Water is used under: Riparian claim ☒ Pre 1914 right ☐ Other (explain):

B. Year of first use: (Please provide if missing above) pre 1933

C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

Amounts below are: Gallons ☐ Acre-feet ☒ Other ☐

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1999	X	X	X	X						X	X	X	4
2000	X	X	X	X						X	X	X	4
2001	X	X	X	X						X	X	X	4

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation  acres; Stockwatering 80 cattle; Domestic

Other (specify) wildlife

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

none

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☐ NO ☒

Describe any water conservation efforts you have initiated:

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr  (af/mg) yr  (af/mg) yr  (af/mg)

Reductions in consumptive use:

yr  (af/mg) yr  (af/mg) yr  (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES ☐ NO ☐

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO X \_\_\_\_\_
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to wastewater reclamation. YES \_\_\_\_\_ NO \_\_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO X \_\_\_\_\_
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to conjunctive use efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: Sept 12, 2002 at Ione, California

SIGNATURE: \_\_\_\_\_

PRINTED NAME: Thomas C. Sager  
(first name) (middle init.) (last name)

COMPANY NAME: Howard Properties, a group of Tenants in Common

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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*"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"*

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. BOX 2000, SACRAMENTO, CA 95812-2000  
(916) 657-2170

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

**PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1999**

**OWNER OF RECORD: HOWARD PROPERTIES**

HOWARD PROPERTIES  
C/O THOMAS C SAGER  
PO BOX 1047  
IONE, CA 95640

**STATEMENT NO: S009431**

**SOURCE: DRY CREEK**  
**TRIBUTARY TO: MOKELUMNE RIVER**  
**COUNTY: AMADOR**  
**DIVERSION**

**WITHIN: SE¼ OF NW¼ SECTION 11, T6N, R9E, MB&M.**

**TELEPHONE NUMBER:**  
(209) 274-4429  
**YEAR OF FIRST USE:**  
**PARCEL NO:**

- A. Water is used under: Riparian claim X Pre 1914 right \_\_\_\_\_ Other (explain): \_\_\_\_\_
- B. Year of first use (Please provide if missing above) before 1933
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: Gallons \_\_\_\_\_ Acre-feet X Other \_\_\_\_\_

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1996	X	X	X	X	X					X	X	X	4
1997	X	X	X	X	X					X	X	X	4
1998	X	X	X	X	X					X	X	X	4

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation \_\_\_\_\_ acres; Stockwatering 100 cattle; Domestic \_\_\_\_\_;  
Other (specify) \_\_\_\_\_
- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)  
none
- F. Please answer only those questions below which are applicable to your project.
1. Conservation of water
- a. Describe any water conservation efforts you may have started: \_\_\_\_\_
- b. \_\_\_\_\_
- c. If credit toward beneficial use of water under claimed pre 1914 appropriate water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:  
19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)
2. Water quality and wastewater reclamation
- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO X

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. BOX 2000, SACRAMENTO, CA 95812-2000  
(916) 657-2170

- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO X \_\_\_\_\_

- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 23 Sep 1999 at Ione, California

SIGNATURE: \_\_\_\_\_

PRINTED NAME: Thomas C. Sager  
(first name) (middle init.) (last name)

COMPANY NAME: As Agent for Howard Properties, a group of Tenants in Common

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION


GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

**PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.**

**OWNER OF RECORD:** HOWARD PROPERTIES

HOWARD PROPERTIES  
PO BOX 1047  
IONE, CA 95640

**SOURCE:** DRY CREEK  
**TRIBUTARY TO:** MOKELUMNE RIVER  
**COUNTY:** AMADOR  
**DIVERSION**

**WITHIN:** SE¼ OF NW¼ SECTION 11, T6N, R9E, MB&M.

**STATEMENT NO:** 80094

**TELEPHONE NUMBER:**  
(209) 274-4429

**YEAR OF FIRST USE:**  
**PARCEL NO:**

A. Water is used under: Riparian claim ☒; Pre 1914 right \_\_\_\_\_; Other (explain) \_\_\_\_\_

B. Year of first use (Please provide if missing above) before 1933.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☒ Acre-feet ☐ (other) \_\_\_\_\_

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT	OCT.	NOV.	DEC	TOTAL ANNUAL
1993	x	x	x	x	x	x	x	x	x	x	x	x	4
1994	x	x	x	x	x	x	x	x	x	x	x	x	4
1995	x	x	x	x	x	x	x	x	x	x	x	x	4

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres; Stockwatering 100 cattle; Domestic \_\_\_\_\_

Other (specify) \_\_\_\_\_

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)  
none

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.  
none

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 30 July, 1996 at Ione, California

SIGNATURE: \_\_\_\_\_

PRINTED NAME: Thomas C. Sager  
(FIRST NAME) (M NAME) (LAST NAME)

COMPANY NAME: As Agent for Howard Properties

**See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.**



1. Name of the person	2. Date of birth	3. Sex	4. Marital status	5. Nationality	6. Religion	7. Education	8. Occupation	9. Address	10. Contact details
11. Name of the person	12. Date of birth	13. Sex	14. Marital status	15. Nationality	16. Religion	17. Education	18. Occupation	19. Address	20. Contact details
21. Name of the person	22. Date of birth	23. Sex	24. Marital status	25. Nationality	26. Religion	27. Education	28. Occupation	29. Address	30. Contact details
31. Name of the person	32. Date of birth	33. Sex	34. Marital status	35. Nationality	36. Religion	37. Education	38. Occupation	39. Address	40. Contact details
41. Name of the person	42. Date of birth	43. Sex	44. Marital status	45. Nationality	46. Religion	47. Education	48. Occupation	49. Address	50. Contact details
51. Name of the person	52. Date of birth	53. Sex	54. Marital status	55. Nationality	56. Religion	57. Education	58. Occupation	59. Address	60. Contact details
61. Name of the person	62. Date of birth	63. Sex	64. Marital status	65. Nationality	66. Religion	67. Education	68. Occupation	69. Address	70. Contact details
71. Name of the person	72. Date of birth	73. Sex	74. Marital status	75. Nationality	76. Religion	77. Education	78. Occupation	79. Address	80. Contact details
81. Name of the person	82. Date of birth	83. Sex	84. Marital status	85. Nationality	86. Religion	87. Education	88. Occupation	89. Address	90. Contact details
91. Name of the person	92. Date of birth	93. Sex	94. Marital status	95. Nationality	96. Religion	97. Education	98. Occupation	99. Address	100. Contact details

There are two principal types of surface water rights in California, riparian and appropriative rights.

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Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available, including the following:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockpounds Constructed Prior to 1969"
- "Appropriation of Water in California"

5-9 431

\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S009431  
OWNER OF RECORD: HOWARD PROPERTIES

HOWARD PROPERTIES  
PO BOX 1047  
IONE, CA 95640

SOURCE: DRY CREEK  
TRIBUTARY TO: MOKELUMNE RIVER  
COUNTY: AMADOR

DIVERSION

WITHIN: SE¼ OF NW¼ SECTION 11, T6N, R9E, MDB&M.

TELEPHONE NUMBER:  
(209) 274-4429  
YEAR OF FIRST USE:  
PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995

- A. Water is used under: Riparian claim X; Pre 1914 right \_\_\_\_\_; Other (explain) \_\_\_\_\_
- B. Year of first use (Please provide if missing above) before 1933
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☒ Acre-feet ☐ (other) \_\_\_\_\_

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1992	x	x	x	x	x	x	x	x	x	x	x	x	4
1993	x	x	x	x	x	x	x	x	x	x	x	x	4
1994	x	x	x	x	x	x	x	x	x	x	x	x	4

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
- Irrigation \_\_\_\_\_ acres; Stockwatering 100; Domestic \_\_\_\_\_
- Other (specify) \_\_\_\_\_

\*\*\* CONTINUE ON BACK PAGE \*\*\*

\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

None

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: April 27, 1995, at Ione, California

SIGNATURE: By:

PRINTED NAME: Thomas C. Sager

(FIRST NAME)

(M NAME)

(LAST NAME)

COMPANY NAME: As Agent for Howard Properties

#### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. Box 2000  
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE  
INFORMATION SHEET

STATEMENT NO. S009431

DIVERSION SITE:

OWNER'S NAME Howard Properties  
(FIRST) (MIDDLE) (LAST)  
PARCEL NO. all

PLACE OF USE:

OWNER'S NAME Howard Properties  
(FIRST) (MIDDLE) (LAST)  
1. PARCEL NO. all  
2. PARCEL NO. \_\_\_\_\_  
3. PARCEL NO. \_\_\_\_\_

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL  
STATEMENTS:

OWNER/LESSEE/AGENT/OTHER Howard Properties  
NAME Attn: T.C. Sager  
(FIRST) (MIDDLE) (LAST)  
MAILING ADDRESS P.O. Box 1047  
Ione, CA 95640  
(CITY) (STATE) (ZIP)  
TELEPHONE NO. ( 209 ) 274 - 4429

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME \_\_\_\_\_  
(FIRST) (MIDDLE) (LAST)  
MAILING ADDRESS \_\_\_\_\_  
(CITY) (STATE) (ZIP)  
TELEPHONE NO. ( \_\_\_\_\_ ) \_\_\_\_\_ - \_\_\_\_\_  
2. NAME \_\_\_\_\_  
(FIRST) (MIDDLE) (LAST)  
MAILING ADDRESS \_\_\_\_\_  
(CITY) (STATE) (ZIP)  
TELEPHONE NO. ( \_\_\_\_\_ ) \_\_\_\_\_ - \_\_\_\_\_

☒ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR  
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL  
INFORMATION BOX.

## ATTACHMENT

### State Water Resource Control Board Division of Water Rights Information Sheet

Howard Properties is a group of tenants in common, consisting specifically of Charles S. Howard, III; Robert S. Howard, Jr.; Frank Howard; Scott Leask; Cynthia Leask Saint Onge; Brigitte Lyn LaMonte Michael Jakobson; S. Kittredge Collins, Trustee of "The Collins Family Trust", which is sole and separate property of Settlor husband; Marita Collins Biven, Trustee of "The Marita C. Biven Revocable Living Trust"; Michael C. Howard, Trustee of the Howard Family Trust dated October; Malinda Howard; and Lisa L. Howard; Sanwa Bank California, a California Banking Corporation, Trustee under the Will of Charles S. Howard, Deceased, for the benefit of Lindsay C. Howard, Jr. The co-tenants listed above, who are all the co-tenants owning the subject property, are referred to herein as "Howard Properties" only for the sake of convenience.

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810  
901 P ST. SACRAMENTO, CA

(916) 322-4503  
(916) 324-5676

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

1992 JUL -9 PM 3:42

DIVERTER OF RECORD:

HOWARD PROPERTIES  
P O BOX 1047  
IONE, CA 95640

DIV. OF WATER RIGHTS  
SACRAMENTO

STATEMENT NO: 009431

TELEPHONE NUMBER:  
(209) 274-4429

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: DRY CREEK #1

TRIBUTARY TO: MOKELUMNE RIVER

COUNTY: AMADOR

DIVERSION

WITHIN: SE1/4 OF NW1/4 SECTION 11, T06N, R09E, NDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1992. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts ☐ Gallons  
below are: ☒ Acre-feet  
☐ \_\_\_\_\_ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept	Oct.	Nov.	Dec	Total Annual
1989	X	X	X	X	X	X	X	X	X	X	X	X	4
1990	X	X	X	X	X	X	X	X	X	X	X	X	4
1991	X	X	X	X	X	X	X	X	X	X	X	X	4

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_

Stockwatering 80 pair

Domestic \_\_\_\_\_

Other (specify) Wildlife Enhancement, Fire Protection & Recreation

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

None

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: July 7, 1992, at Ione, California

Signature: \_\_\_\_\_

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STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
STATEMENT OF WATER DIVERSION AND USE

S9431

This statement should be typewritten or legibly written in ink.

A. Name of person diverting water C. S. HOWARD ESTATE--Howard Properties  
Address P.O. Box 70, Jackson, California 95642 Phone: (209) 223-1600

B. Name of body of water at point of diversion Dry Creek #1 Stock Pond No. 48  
Tributary to Mokelumne River

C. Place of diversion SE 1/4 NW 1/4 Section 11, Township 6N, Range 9E, M.D.B&M, Amador  
County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works N/A

E. Capacity of diversion works Natural, 7 gal. per minute cubic feet per second  
Capacity of storage reservoir 4 acre feet gallons per minute  
State quantity of water used each month in gallons or acre-feet gallons  
acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
	X	X	X	X	X	X	X			X	X	X	

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.  
50 pair cows/calves watered October through July

Maximum annual water use in recent years 7 acre feet gallons  
Minimum annual water use in recent years 4 acre feet acre-feet  
Type of diversion facility: gravity X, pump  gallons  
acre-feet

Method of measurement: weir , flume , electric power meter , water meter , estimate X

F. Purpose of use (what water is being used for) Stock water, recreation, wildlife and fish enhancement

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)  
long dredged hole in streambed which collects subsurface water moving into and through the channel.

H. Year of first use as nearly as known Pre-1933

I. Name of person filing statement L. A. COSTICK

Position Manager Organization Howard Properties

Address P.O. Box 70, Jackson, California 95642

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.

Dated: September 6, 19 77, at Jackson, California.

Signature: [Signature]

See Instructions on Reverse Side